

1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 10 2002

re application of:

TABIBZADEH

Group Art Unit: 1645

Serial No.: 09/674,254

Examiner: PORTNER, Virginia A.

Filed: 12/27/00

RECEIVED

For: DIAGNOSTIC MARKERS OF HUMAN FEMALE INFERTILITY

APR 12 2002

Attorney Docket No.: 0152.00384

TECH CENTER 1600/2900

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Box Sequence
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

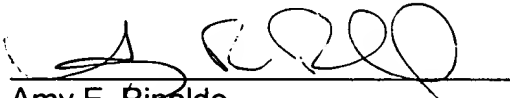
Enclosed herewith are the following:

1. Copy of Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures;
2. Amendment directing entry of Sequence Listing into application;
3. Substitute computer readable copy of the Sequence Listing;
4. Substitute paper copy of the Sequence Listing; and
5. Statement that the content of the paper and computer readable copies are the same.

Please charge our Deposit Account No. 11-1449 for any fees or credit our account for any overpayment.

Respectfully submitted,

KOHN & ASSOCIATES



Amy E. Rinaldo
Registration No. 45,791
30500 Northwestern Hwy.
Suite 410
Farmington Hills, Michigan 48334
(248) 539-5050

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: the Assistant Commissioner for Patents, Washington, D.C. 20231, BOX SEQUENCE LISTING on March 29, 2002.


Angel Webb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

TABIBZADEH

Group Art Unit: 1645

Serial No.: 09/674,254

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SUBMISSION OF SEQUENCE LISTING/STATEMENT

Box Sequence
Assistant Commissioner for Patents
Washington, DC 20231

1. This replies to the Office communication dated March 22, 2002, Paper No. 6.

X A copy of the communication is enclosed.

2. I, Amy E. Rinaldo, state the following:

3. Submitted herewith is/are:

X A. Sequence Listing(s) for the nucleotide and/or amino acid sequence(s).

Each sequence Listing is assigned a separate identifier.

X B. A copy of each Sequence Listing submitted for this application in computer readable form.

X C. Preliminary Amendment inserting the Sequence Listing into the application.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that on March 29, 2002, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Box Sequence List, Assistant Commissioner for Patents, Washington, DC 20231

37 CFR 1.8(a)

X sufficient postage as first class mail.

37 CFR 1.10*

_____ as "Express Mail Post Office to Addressee"
Mailing Label No.


Angel Webb

**STATEMENT THAT SEQUENCE LISTING
AND COMPUTER READABLE COPY ARE THE SAME**



I hereby state that each computer readable form submitted in this application is the same as the Sequence Listing to which it is indicated to relate.

I hereby state that all papers accompanying this submission, or for which a request for transfer from Applicants' other application, introduce no new matter.

The Commissioner is authorized to charge any fee or credit any overpayment in connection with this communication to our Deposit Account No. 11-1449.

Respectfully submitted,

KOHN & ASSOCIATES

Amy E. Rinaldo
Registration No. P-45,791
30500 Northwestern Hwy., Suite 410
Farmington Hills, Michigan 48334
Phone (248) 539-5050
Fax (248) 539-5055

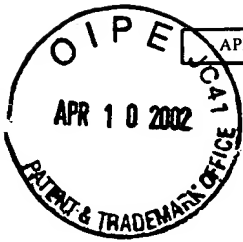
Date: March 28, 2002

Seq. List
4.22.02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
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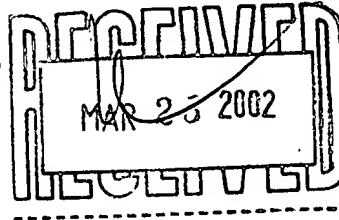


| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/674,254 | 12/27/2000 | Siamak Tabibzadeh | 0152.00384 | 8450 |

7590

03/22/2002

Kenneth I Kohn
Kohn & Associates
30500 Northwestern Highway Suite 410
Farmington Hills, MI 48334



EXAMINER

PORTNER, VIRGINIA ALLEN

ART UNIT PAPER NUMBER

1645

DATE MAILED: 03/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 09/674,254 | 12/27/2000 | Tabibzadeh | 0152,00384 |



| EXAMINER | |
|----------|--------------|
| Partner | |
| ART UNIT | PAPER NUMBER |
| 1645 | 6 |

DATE MAILED:

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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

2. APPLICANT IS GIVEN ONE EXTENDIBLE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to (703) 308-7543 whose telephone number is (703) 308-0196

G. Partner / Receptionist

3. Please see attached Notice to comply.

J. Graser 3/20/02
JENNIFER E. GRASER
PRIMARY EXAMINER

Application No.: 09/674284

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 98 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Additional Sequences found at pages 9, 16, 17, pages 20, 27, 47, 48, 55, 62, 65 and 74.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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